

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

,	)	Case No.
Plaintiff(s),	)	ORDER RE REQUIREMENTS FOR
v.	)	MOTION FOR ATTORNEY’S FEES
,	)	
Defendant(s)	)	
_____	)	

In addition to any other requirements imposed by statute or case law, motions for attorneys’ fees must include invoices prepared in the following format.

1. All services rendered must be listed chronologically and describe the services of all timekeepers so that the Court can easily determine what services were rendered by all timekeepers on each day (counsel are not to submit separate billings by timekeeper or by firm);
2. Each entry must identify the timekeeper, the hourly rate sought, the time spent for the particular services, the nature of the services performed, and the total amount billed for that entry (i.e., the rate multiplied by the time spent); and

1                   3. The services rendered must be described in sufficient detail for  
2 the Court to evaluate the value of the services.

3                   Prior to filing any motion for attorneys' fees, counsel shall meet and confer  
4 in person pursuant to Local Rule 7-3 to attempt in good faith to agree on the  
5 reasonable amount of fees to be awarded (if the Court decides to award fees),  
6 keeping in mind that a contested request for attorneys' fees "should not result in a  
7 second major litigation." *Hensley v. Eckerhart*, 461 U.S. 424, 437 (1983)  
8 ("Ideally, of course, litigants will settle the amount of a fee. Where settlement is  
9 not possible, the fee applicant bears the burden of establishing entitlement to an  
10 award and documenting the appropriate hours expended and hourly rates."). Prior  
11 to the conference, moving counsel shall do at least the following:

12                   1. Provide opposing counsel with the billing records on which the  
13 motion will be based, and specify the entries for which compensation is and is not  
14 sought. These records may be redacted to prevent disclosure of material protected  
15 by the attorney-client privilege or work product doctrine. However, as to those  
16 redacted items, counsel shall submit a declaration describing the nature of the  
17 services with sufficient detail to allow opposing counsel to determine if the item is  
18 objectionable.

19                   2. Inform opposing counsel of the hourly rates that will be claimed  
20 for each lawyer, paralegal, or other timekeeper. If moving counsel or other  
21 timekeepers have performed any legal work on an hourly basis during the period  
22 covered by the motion, moving counsel shall provide representative business  
23 records sufficient to show the types of litigation in which such hourly rates were  
24 paid and the rates that were paid in each type. If moving counsel has been paid on  
25 an hourly basis in the case in question or in litigation of the same type as the case  
26 in question, records showing the rates paid for those services must be provided. If  
27 moving counsel will rely on other evidence to establish appropriate hourly rates,  
28

1 such as evidence of rates charged by attorneys of comparable experience and  
2 qualifications or evidence of rates used in previous awards by courts or  
3 administrative agencies, moving counsel shall provide such other evidence.

4           3. Furnish evidence of the actual cost of any nontaxable expenses to  
5 be sought by the motion;

6           4. Respond to any reasonable request for additional documentation  
7 or information.

8           By providing opposing counsel with information about hours, billing rates,  
9 and nontaxable expenses, moving counsel shall not be deemed to make any  
10 admission or waive any argument about the relevance or effect of such  
11 information in determining an appropriate award.

12           All information furnished by moving counsel shall be treated as  
13 confidential by opposing counsel. The information shall be used solely for  
14 purposes of the fee litigation, and shall be disclosed to other persons, if at all, only  
15 in court filings or hearings related to the fee litigation. If opposing counsel  
16 proposes to disclose any of the information in a court filing or hearing, opposing  
17 counsel shall provide moving counsel with prior written notice and a reasonable  
18 opportunity to request an appropriate protective order.

19           If there is no agreement as to the fees and costs to be paid, the parties shall  
20 file a joint statement with a summary table in the format shown in Exhibit A to  
21 this Order. Moving counsel shall submit a paper chambers copy only of the  
22 unredacted invoices.

23           Submissions that do not meet these requirements will not be considered. If  
24 the Court concludes that counsel have not acted in good faith, it will refer the  
25 matter to a special master at the expense of the parties.

26  
27 **IT IS SO ORDERED.**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: \_\_\_\_\_

\_\_\_\_\_  
Dale S. Fischer  
United States District Judge

## Exhibit A

ATTORNEY	DATE	DESCRIPTION	TIME/AMT CHALLENGED	REDUCE BY	OBJECTION	REASON FOR OBJECTION	RESPONSE TO OBJECTION
J. DOE	1/2/08	T/C W/ Consultant	3.0 (\$450)	3.0 (\$450)	Vague	Fails to articulate who the consultant was & what the conversation concerned	Meeting w/A. Smith re coroner report & crime scene video
S. ROE	2/1/08	Research Notice of Related Cases	2.0 (\$300)	1.0 (\$150)	Excessive	"Notice of Related Cases" is a form document. Attorney shouldn't charge for basic research.	No Response
J. DOE	2/20/08	Calendared dates	1.0 (\$150)	1.0 (\$150)	Clerical work	Atty cannot charge for clerical work	No Response